

04- R-1399

City Council
Atlanta, Georgia

**A RESOLUTION BY
CITY UTILITIES COMMITTEE**

**A RESOLUTION AUTHORIZING THE MAYOR TO
GRANT AN EASEMENT IN FAVOR OF THE GEORGIA
POWER COMPANY FOR THE PLACEMENT OF TWO (2)
ELECTRIC POWER POLES ON MILLS STREET.**

WHEREAS, the Georgia Power Company ("GPC") has proposed to locate electric power poles, adjacent to the right of way on the North side of Mills Street, between Venable Street and McAfee Street, and on the South side of Mills Street at the intersection of Luckie Street and Mills Street as shown on the attached Exhibit "A";

WHEREAS, an easement on City of Atlanta ("City") property is necessary for the location of the power poles;

WHEREAS, the purpose of the easement and power poles is for constructing and maintaining the power delivery system necessary for the Downtown Aquarium and the New World of Coca Cola projects, both of which will play an important part in the continuing revitalization of the downtown area;

WHEREAS, the goal of GPC's proposal is to eliminate or minimize the need to demolish any buildings in the surrounding area, in order to preserve the character of the community;

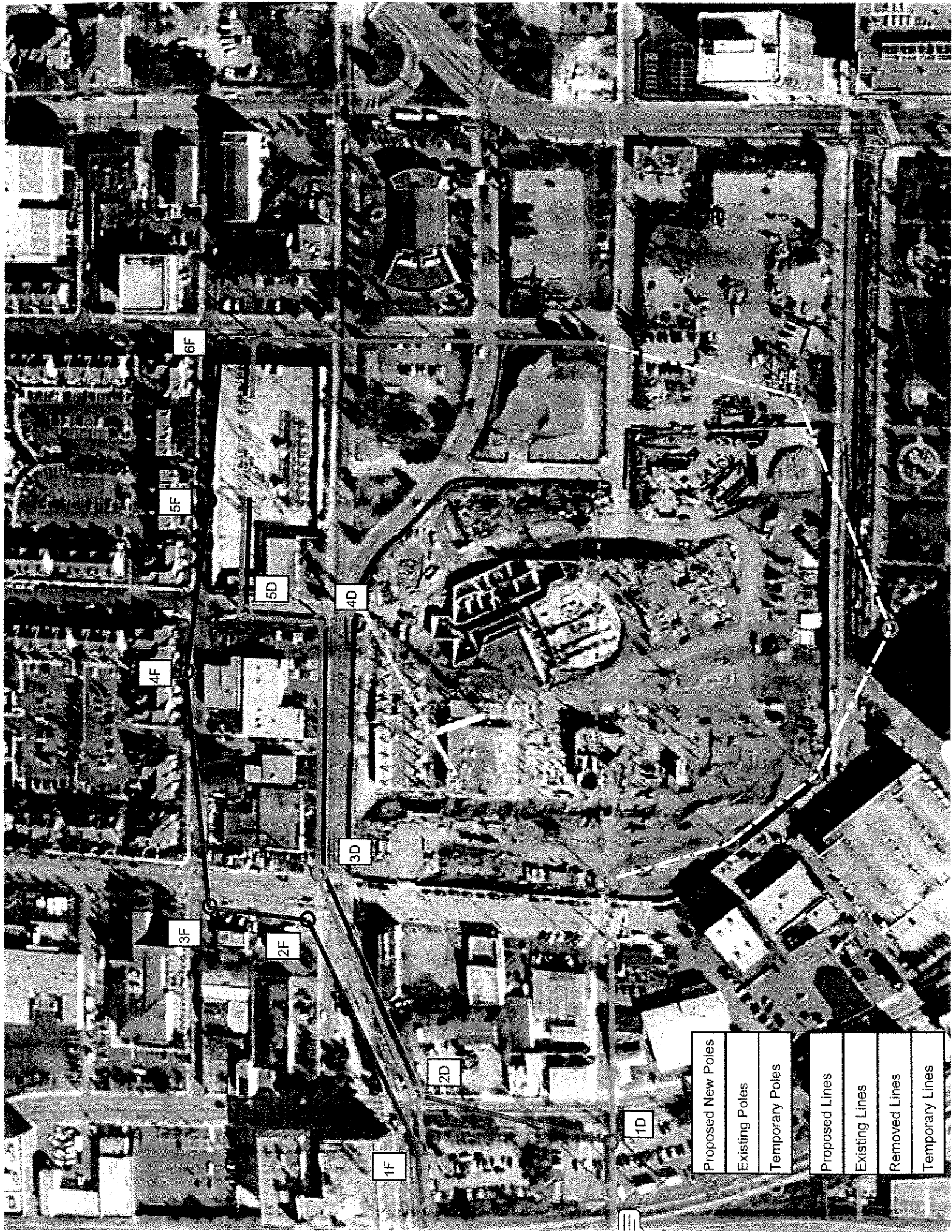
WHEREAS, the proposed location for the easement appears to be the only feasible location; if the easement was located further North, it would likely require the demolition of some or all of Centennial Homes, and the easement cannot be located further South because of an existing nearby power station;

WHEREAS, the neighboring property owners support the location of the power poles;

**NOW, THEREFORE, THE COUNCIL FOR THE CITY OF ATLANTA,
GEORGIA, HEREBY RESOLVES AS FOLLOWS:**

Section 1. The Mayor is hereby authorized to execute an easement in favor of GPC for the area shown on Exhibit "A", subject to the payment of fair market value for the easement.

Section 2. All resolutions or parts of resolutions in conflict with the terms of this resolution are hereby repealed.



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| Proposed New Poles |
| Existing Poles |
| Temporary Poles |
| Proposed Lines |
| Existing Lines |
| Removed Lines |
| Temporary Lines |

WILSON BROCK & IRBY, L.L.C.

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May 27, 2004

Linda DiSantis
City Attorney
Department of Law
68 Mitchell Street, Suite 4100
Atlanta, Georgia 30303

Re: New World of Coca-Cola/Georgia Aquarium Site

Dear Linda:

This letter is to follow up a meeting that I had in your absence with Rosalind Rubens and Stacey Abrams on behalf of The Coca-Cola Company in its efforts to redevelop its 21 acre site for the new World of Coca-Cola and the Georgia Aquarium. We are currently trying to determine if the Georgia Power Company can be granted an easement for certain pole locations, shown on the attached exhibit, along Mills Street. As you probably are aware, the Georgia Power substation and the high voltage transmission lines ran across the center of the subject site and have been temporarily relocated in order to construct the Georgia Aquarium and the World of Coca-Cola. The exhibit and the attached description of the site explains the workings of the previous power delivery system, the current power delivery system as well as the proposed permanent power solution. Because of the importance of where this power is being delivered, redundancy within this system is an absolute requirement.

I hope this information will be sufficient for the law department to understand the importance of obtaining the permanent easements that Georgia Power will be seeking to facilitate this most important development. In the next couple of days, I will forward to you, as well as Ms. Rubens and Ms. Abrams, copies of the proposed easements for these locations. We have had preliminary consultations with the Department of Public Works and the Planning Department regarding the solution that is described herein. We will ask the Department of Public Works or the Department of Planning to introduce the proposed easement legislation, which we will forward to you to determine that it is in the proper form.

Sincerely,

WILSON BROCK & IRBY, L.L.C.



Larry M. Dingle

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cc: Rosalind Rubens Newell, Finance and Real Estate
Stacey Abrams, Government Counsel, Development and Infrastructure
Charles Graves, Commissioner, Department of Planning and Community Development
Enrique Bascunana, Senior Urban Planner, Bureau of Planning
David E. Scott, P.E., Commissioner, Public Works



High Voltage Transmission Line Relocation Summary

Background: Georgia Power has critical High Voltage transmission lines serving its downtown customers. With the development of the Georgia Aquarium and the new World of Coca-Cola, these facilities have had to be relocated by Georgia Power to facilitate the development of the Georgia Aquarium and the new World of Coca-Cola. The previous Davis Street – Fowler Street transmission line had run through the center of Coca-Cola's 21 acre site..

Description: In order to accommodate the relocation of the Davis St. – Fowler St. line, the redundant Fowler St. – Northwest line also required realignment. See attached sketch.

Re-Route of Davis St. – Fowler St. Transmission line:

- From Pole 1D on the southwest corner of Marietta Street and Simpson Street, north on Marietta Street to Pole 2D on southeast corner of the intersection with Alexander Street.
- East along Alexander Street to Pole 3D and then to Pole 4D at the intersection of McAfee Street.
- North on McAfee Street to Pole 5D and then into the substation.

Re-Route of Fowler St. – Northwest line:

- Intercept exiting Fowler St.-Northwest line at new Pole 1F, located west of Marietta Street
- East on Alexander Street to Pole 2F on the northwest corner of the intersection with Luckie Street.
- North on Luckie Street to Pole 3F, which at the intersection with Mills Street, currently proposed on the Lewis brother's property, the Downtown Properties.
- East on Mills Street to Pole 4F, currently proposed between the Centennial Homes private driveway and McAfee Street on the north sidewalk along Mills Street.
- Further east to Pole 5F on the south sidewalk of Mills Street.
- Further east to Pole 6F on the southwest corner of Lovejoy and Mills Street and then into the substation.

Pole Description:

- Height: 90 feet in height (approximate)
- Width at base: 4-5 feet in diameter
- Minimum distance from curb: 6 feet from the face of pole to curb
- Number of lines: 4 lines (3 phases with 1 ground)
- Minimum height clearance: 35 feet from the ground to the lowest line
- Easement: 25 feet in radius from line and/or conductor
- Pole color: Gray

Methodology: Several guidelines were used to determine the above described routes and they are as follows in order of priority.

1. Impact to community. The proposed routes maximize the use of existing routes and easements. The routes also minimize or avoid demolition of existing buildings.
2. Most direct route. Finding the most direct route coincides with the intent to minimize community impact. The proposed routes represent some of most direct route based on linear footage.
3. Minimize aesthetic impact. An area we decisively avoided is the area around Centennial Olympic Park for obvious reasons. We also made efforts to avoid residential areas. Although the current proposal places a pole and lines south of Centennial Homes, no other route exists without significantly compromising our first two guidelines.
4. Cost. Assessing costs to such an endeavor is a very subjective perspective with many variables. The thinking used for this guideline was based on the question, "can the incremental cost be used elsewhere that will benefit the community in a broader and more qualitative way." We believe the proposed routes represent the most economic and effective use of available funds.